

**BEFORE THE ARIZONA STATE BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

In the Matter of:)	
)	
JAMES B. MOROSCO, D.O.)	
Holder of License No. 3607)	
For the practice of)	
Osteopathic Medicine in the)	
State of Arizona)	
_____)	

**STIPULATION FOR
CONSENT ORDER FOR
ISSUANCE OF BOARD
LICENSE**

STIPULATION

By mutual agreement and understanding, the Arizona State Board of Osteopathic Examiners in Medicine and Surgery ("Board") and James B. Morosco, D.O. (hereinafter "Respondent"), the parties hereto agree to the following disposition of this matter.

1. Respondent acknowledges that he had read this Stipulation and the attached Stipulated Consent Order; and, Respondent is aware of and understands the content of these documents.

2. Respondent understands that by entering into this Stipulation, he voluntarily relinquishes any rights to a hearing on the matters alleged as ground for Board action or to seek judicial review of the consent order in state or federal court.

3. Respondent understands that this Stipulation and Order will not become effective unless approved by this Board and signed by its Executive Director.

4. Respondent further understands that this Stipulation and Consent Order, once approved and signed, shall constitute a public record which may be disseminated as a formal action of the Board.

5. Respondent admits to the facts and consents to all the terms contained in the Stipulated Order.

6. Respondent acknowledges and agrees that upon signing and returning this document to the Board, he may not later revoke or amend this stipulation or the consent order, without Board approval.

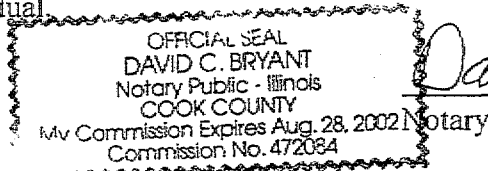
IT IS HEREBY STIPULATED AND AGREED that any violation of said Board Order constitutes unprofessional conduct as defined in A.R.S. 32-1855.

REVIEWED AND ACCEPTED this 1st day of December, 2000.


JAMES B. MOROSCO, D.O.

State of ~~Arizona~~ IL)
County of COOK) ss

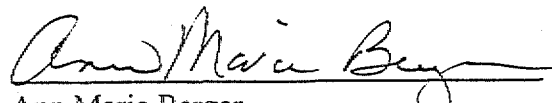
This instrument was acknowledged before me this 1 day of December, 2000, by the above-named individual.





My Commission Expires:

REVIEWED AND SIGNED this 6th day of December, 2000, for the Board by:


Ann Marie Berger
Executive Director

**BEFORE THE ARIZONA STATE BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

In the Matter of:

JAMES B. MOROSCO, D.O.
Holder of License No. 3607
For the practice of osteopathic
Medicine in the State of Arizona

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
PROBATION ORDER FOR
ISSUANCE OF BOARD
LICENSE**

FINDINGS OF FACT

1. The Board of Osteopathic Examiners of the State of Arizona (Board) is the duly constituted authority for the regulation and control of the practice of osteopathic medicine in the State of Arizona.

2. James B. Morosco, D.O. (hereinafter Respondent) is the applicant for license to practice osteopathic medicine in the State of Arizona.

3. The Board has reviewed Respondent's application for license and conducted interviews with Respondent during public Board meetings concerning Respondent's prior criminal activity in 1993 and all other relevant issues concerning his qualifications to obtain a Board license. The Board has arrived at its findings of fact based upon all of the information provided to the Board and made a part of the administrative record.

4. On October 14, 2000, during its public meeting, with Respondent present, the Board authorized preparation of an order granting Respondent a license to practice as an osteopathic physician in the State of Arizona; but, said license shall be placed on probation and subject to specific restrictions that are set forth more specifically hereafter.

CONCLUSIONS OF LAW

1. The Arizona Board of Osteopathic Examiners in Medicine and Surgery possesses jurisdiction over the subject matter hereof and over the application for license submitted by James B. Morosco, D.O., pursuant to A.R.S. § 32-1801, et seq.
2. The Board has authority to enter a final order and to enter into an agreement for the stipulated disposition of this matter pursuant to A.R.S. § 32-1822(D).

CONSENT ORDER

Pursuant to the authority vested in the Board, the Board voted to accept the stipulated disposition of this matter on October 16, 2000; and therefore, IT IS HEREBY ORDERED THAT:

1. James B. Morosco, D.O. (Applicant) shall be **ISSUED** a Board license and placed on **PROBATION** pursuant to conditions described hereafter. Applicant's practice of osteopathic medicine in the State of Arizona shall be restricted also as described more specifically hereafter.
2. The duration of probation shall continue for a period of two (2) years from the date of issuance of this Order and Applicant ordered to comply with all terms and conditions set forth herein.
3. For a minimum of one year from the date of this Order, Applicant shall obtain psychiatric or psychological treatment by a therapist(s) who is either a licensed psychiatrist and/or psychologist and is selected by Applicant. Applicant shall inform the Board by letter (mailed within ten days of the date of this Order) of the therapist's name; and Applicant shall undertake and fully cooperate with a program of treatment established by the therapist. In the event Applicant changes therapist, he shall give the Board written notice within ten (10) days of said action; and, Applicant shall not discontinue psychotherapy until he has submitted a written request to the Board for

discontinuance and obtained Board approval.

4. Applicant's therapist shall receive a copy of this Order and Board staff shall cooperate with and disclose all relevant information held by the Board concerning Applicant. The treating therapist shall be directed by Applicant to send to the Board a written progress report every month for the first six (6) months then every two (2) months for the remainder of the probation.

Applicant shall waive any confidentiality concerning his psychotherapy in order that the Board may receive full disclosure of information. The expense of the aforementioned therapy and the reports to the Board by Applicant's therapist shall be the sole responsibility of the Respondent.

5. Applicant shall provide a copy of this Board order to any employer and any hospital at which Respondent has or obtains privileges to practice to the hospital's chief executive officer within five (5) days of execution of this Consent Order in its entirety.

6. Applicant shall provide a copy of this Board Order to any treating physician.

7. Applicant may have his license to practice as an osteopathic physician restricted, suspended or revoked by the Board in the future if:

(A) The Board finds that Applicant does not have the requisite mental, physical and emotional fitness to continue the practice of medicine; or,

(B) There are new grounds for finding unprofessional conduct concerning Applicant.

(C) Applicant does not fully comply with all conditions of this Board Order.

8. Applicant shall abstain completely from the consumption of alcoholic beverages; and, Applicant shall not consume illicit drugs or take any controlled substances (i.e. prescription only drugs), unless such medication was prescribed for his by his treating physician. Applicant shall maintain a monthly log (for the duration of probation) of all prescription only drugs taken by her and

such log shall include the following information:

- (a) the name of the medication;
- (b) name of prescribing physician;
- (c) reason for the medication.

At the first of each month, Applicant shall report by letter to the Board whether or not he is taking any prescription only medication and, if so, a copy of his log reflecting the above information.

9. Applicant shall also as part of his probation: (A) submit to an cooperate in any independent evaluation that is ordered by the Board for Applicant and conducted by the Board's designated physician and/or psychologist which shall be paid for by Applicant; and (B) appear before the Board, upon receipt of a request by written or telephonic notification from the Board's executive director which shall be given at least five (5) days prior to the Board meeting; and, (C) submit to random biological fluid testing and promptly provide (i.e. within sixty (60) minutes of notification) required biological fluids for testing and said testing shall be done at the Applicant's expense.

10. Applicant shall participate in a minimum of two (2) self-help meetings per week (for a minimum of one hour per meeting) through such organizations such as Alcoholics Anonymous, Narcotics Anonymous and doctor's Caduceus group. Applicant shall maintain a written record of the dates, time and location of meetings attended, and, a copy of said written record shall be provided to the Board's staff on the first day of each month.

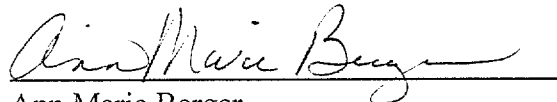
11. In the event Applicant ceases to reside in Arizona, he shall give written notice to the Board of his new residence address and telephone number within twenty (20) days of moving; and, the terms and duration of probation may be stayed by the Board until Applicant returns to Arizona.

All conditions of this Order will become effective upon Applicant's residing in Arizona.

12. Applicant shall reimburse the Board for all costs associated with the ongoing monitoring, investigation and administration of this Order.

ISSUED AND EFFECTIVE this 6th day of December 2000.

ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY



Ann Marie Berger
Executive Director

Served by personal delivery or by sending
U.S. Certified Mail this 6th day of
December, 2000 to:

James B. Morosco, D.O.
2654 W. Medill Ave. #210
Chicago IL 60647

Mailed this 6th day of December
2000 to:

Blair Driggs
Assistant Attorney General
Civil/LES Division
1275 W. Washington
Phoenix AZ 85007

